

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 19-00171-01-CR-W-GAF
)	
MIA LEE JAMISON,)	
)	
Defendant.)	

ORDER

On December 9, 2021, a hearing was held before United States Magistrate Judge W. Brian Gaddy pursuant to 18 U.S.C. § 4247(d) for the purpose of determining Defendant's mental competency to stand trial. Doc. 42-43. Counsel for the Government, Trey Alford, Counsel for Defendant, Martin Warhurst, and Defendant all appeared in person. Initially, counsel for the Government and counsel for Defendant stipulated that the Court could consider Dr. Peterson's psychological report as if Dr. Peterson had appeared in person and testified under oath. Doc. 43 at 3. Counsel for Defendant further indicated that he, on behalf of Defendant, was not contesting the ultimate conclusion of Dr. Peterson. Id. at 5. Subsequently, Defendant personally addressed Judge Gaddy regarding her competency to stand trial. Id. at 9-11. Based on her statements to the Court, it became apparent she desired to contest certain findings of Dr. Peterson. As a result, Judge Gaddy requested testimony from Dr. Peterson and continued the competency hearing. Id. at 13.

On January 6, 2022, the Court resumed its competency hearing. Docs. 46, 48. Counsel for the Government, Trey Alford, counsel for Defendant, Martin Warhurst, and Defendant all appeared in person. Id. Dr. Peterson was called for testimony and appeared via Zoom. Doc. 48 at 6. Both counsel and Defendant consented to Dr. Peterson testifying via Zoom. Id. at 6-8. Dr.

Peterson testified, under oath, that the information proffered by defense counsel regarding Defendant's past surgeries would not have changed his determination regarding her competency to stand trial. Id. at 16-17. Dr. Peterson reiterated his finding that Defendant Jamison was competent to understand the nature and consequences of the proceedings against her and to assist properly in her defense. Id. at 18-19. He also reaffirmed that her mental disease does not "rise to the level that it deprives her of either intelligence or cognitive capacity to prepare a defense." Tr. at 18.

On January 14, 2022, United States Magistrate Judge W. Brian Gaddy issued his Report and Recommendation. Doc. 49.

Upon careful and independent review of the record, as well as the applicable law, and there being no objections filed to the Report and Recommendation, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge W. Brian Gaddy.

Accordingly, it is

ORDERED that Defendant Mia Lee Jamison is found to be competent.

/s/ Gary A. Fenner
GARY A. FENNER, JUDGE
United States District Court

DATED: January 31, 2022